

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: 6/18/2024

MARK GOLDBERG,

Plaintiff,

-against-

STEIN SAKS, PLLC,

Defendant.

1:23-cv-3089 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:


On February 26, 2024, the Court issued an Opinion and Order granting Defendant’s motion to dismiss this case with prejudice. [ECF No. 25]. On February 27, 2024, consistent with the Court’s Order, the Clerk of Court issued judgment in favor of Defendant and terminated the case. [ECF No. 26]. On March 7, 2024, Plaintiff filed a notice of appeal. [ECF No. 27].

The Court is now in receipt of a letter from Plaintiff, filed on May 24, 2024, requesting that the Court “reconsider reopening the [c]ase and . . . [v]acate the Court’s Order dismissing the” case. [ECF No. 31]. In support of its request, Plaintiff cites various grievances against Defendant’s counsel that have no relation to the legal substance of this case, and which the Court thus does not consider. To the extent Plaintiff has a valid cause of action against Defendant’s counsel, Plaintiff is free to raise his allegations in a separate lawsuit. To the extent Plaintiff’s letter does concern the substance of the Court’s motion to dismiss Order, the Court lacks jurisdiction to consider those issues because Plaintiff has filed a notice of appeal. “The filing of a notice of appeal is an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.” *Griggs v. Provident*

Consumer Disc. Co., 459 U.S. 56, 58 (1982). Accordingly, this Court will not pass upon issues “involved in the [pending] appeal.” *Id.*

SO ORDERED.

Date: June 18, 2024
New York, NY



MARY KAY VYSKOCIL
United States District Judge